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Claims:

1. An alignment method comprising:
detecting a topology of at least one layer;
determining an apparent location of a metrology mark;
adjusting the apparent location of the metrology mark to determine an
adjusted location of the metrology mark; and
aligning another layer according to the adjusted location of the
metrology mark.
2. The method of claim 1, wherein atomic force microscopy is used
in the detecting of the topology of the at least one layer.
3. The method of claim 1, wherein determining the apparent location
of the metrology mark is determined optically.
4. The method of claim 3, wherein adjusting the apparent location of
the metrology mark adjusts for optical horizontal shift.
5. The method of claim 1, wherein determining the apparent location
of the metrology mark is determined topologically.
6. The method of claim 5, wherein adjusting the apparent location of
the metrology mark adjusts for topological horizontal shift.
7. The method of claim 5, wherein planarization is performed prior to
determining the apparent location of the metrology mark.

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8. The method of claim 1, wherein adjusting the apparent location of the metrology mark includes an adjustment for at least one predetermined factor.

9. The method of claim 1, wherein adjusting the apparent location of the metrology mark includes an adjustment for at least one non-predetermined factor.

10. A fabrication method for a layered device comprising:
providing a substrate including a metrology feature;
determining the topology of one or more layers formed on the substrate;
forming a patterned layer on the one or more layers formed on the substrate;
determining whether the patterned layer is within one or more tolerances, the one or more tolerances being determined in accordance with the topology of the one or more layers; and
selecting the next processing step in accordance with whether the patterned layer is within the one or more tolerances.

11. The fabrication method of claim 10, wherein the next processing step is discarding of the layered device when the patterned layer is outside the one or more tolerances.

12. The fabrication method of claim 10, wherein the next processing step is removing the patterned layer when the patterned layer is outside the one or more tolerances.

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13. The fabrication method of claim 10, wherein the next processing step is altering the patterned layer when the patterned layer is outside the one or more tolerances.

14. The fabrication method of claim 10, further comprising planarizing a top layer of the one or more layers.

15. An apparatus for aligning comprising:

a detector for detecting a topology of at least one layer to determine an apparent location of a metrology mark, the apparent location of the metrology mark being offset from the actual position of the metrology mark by a distortion amount; and

a mask which is aligned according to the apparent location and adjustment information,

wherein the adjustment information is corresponds to the distortion amount.

16. The apparatus of claim 15, wherein the detector is an atomic force microscope.

17. The apparatus of claim 15, wherein the detector is an optical detector.

18. The apparatus of claim 15, further comprising a planarizer that performs chemical-mechanical polishing.

19. The apparatus of claim 15, wherein the adjustment information is derived from at least one predetermined factor.

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20. The apparatus of claim 15, wherein adjustment information is derived from at least one non-predetermined factor.

21. The apparatus of claim 15, further comprising a controller which selects the next processing step in accordance with information provided by the detector.

22. A layered device comprising:

a plurality of patterned layers;

at least one of the plurality of patterned layers being planarized and having at least one topological metrology feature indicative of a position of a pattern of another of the plurality of patterned layers; and

an aligned layer aligned with the pattern of the another of the plurality of patterned layers which includes an alignment adjustment to compensate for the at least one of the plurality of patterned layers being planarized.

23. The layered device of claim 22, wherein the pattern of the another of the plurality of patterned layers includes a trench.

24. The layered device of claim 23, wherein the trench has a center and the topological metrology feature is aligned off-center of the trench by a horizontal offset.

25. The layered device of claim 24, wherein the aligned layer is aligned to the center of the trench by the adjustment.

26. The layered device of claim 24, wherein the horizontal offset is predetermined.

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27. A layered device comprising:

a plurality of patterned layers;

at least one of the plurality of patterned layers being planarized and having a metrology feature indicative of a position of a pattern of another of the plurality of patterned layers; and

a masking layer aligned with the pattern of the another of the plurality of patterned layers which includes an alignment adjustment to compensate for the at least one of the plurality of patterned layers being planarized.

28. The layered device of claim 27, wherein the masking layer has a surface that is angled with respect to the another of the plurality of patterned layers.

29. The layered device of claim 28, wherein the angle is not predetermined.

30. An article made according to the method of claim 1.

31. An article made according to the method of claim 10.